

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

KEVIN JORDAN,

Plaintiff,

v.

Case No.: 2:19-cv-724-FtM-38MRM

REBECCA KAPUSTA, KRISTEN  
KANNER, MIGUEL DE LA O,  
KATHERINE FERNANDEZ  
RUNDLE, AUDREY FRANK  
APONTE, PENNY KIM and  
CARROLE DEPASS,

Defendants.

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**OPINION AND ORDER**<sup>1</sup>

This matter is before the Court on sua sponte review of the file. On April 10, 2020, the Court directed Plaintiff to pay a partial filing fee of \$8.00 ([Doc. 11](#)) and to complete and return the United States Marshals Service of Process Forms for each Defendant ([Doc. 12](#)) by May 1, 2020, or his case would be dismissed without further notice. The Court provided Plaintiff with a reasonable opportunity to respond to the Orders and Plaintiff was put on notice that the case would be dismissed if he failed to comply. As of the date on this Order, Plaintiff has neither complied with the Court's Orders, nor sought an enlargement of time to do so. Thus, the Court finds Plaintiff has failed to prosecute this case and that the case is due to be dismissed without prejudice under M.D. Fla. Rule

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<sup>1</sup> Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.


3.10(a). Because the Court is dismissing this action without prejudice, Plaintiff may file a new complaint if he wishes to pursue his claim.

Accordingly, it is now

**ORDERED:**

1. Plaintiff Kevin Jordan's case is **DISMISSED without prejudice**.
2. The Clerk of Court shall enter judgment, terminate any pending motions as moot, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 7th day of May 2020.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

SA: FTMP-2

Copies: All Parties of Record